

Applicant: Hermann Grether
Application No.: 10/523,574

Amendments to Drawings:

The attached sheets of drawings includes changes to Figs. 1 and 10a. These sheets, which include Figs. 1, 10a and 10b, replaces the original sheets including Figs. 1, 10a and 10b. The drawings have been amended to call out the circumferential rib 30 in Fig. 1 and web 22 in Fig. 10a.

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1 – 10 and 12 – 33 are currently pending in this application. Claims 1, 4 – 6, 8 – 10, 12 – 13, 16 – 22, 25, 27 – 28, and 32 – 33 have been amended. Claim 11 has been cancelled. In the drawings, Figures 1 and 10a have been amended. The specification has been amended at paragraph 70 to correspond to the drawing amendment. Applicant submits that no new matter has been introduced into the application by these amendments.

Objections to the Drawings

The Examiner objected to the drawings because the figures did not show every feature of the invention specified in the claims. The amendment to claim 1 and the amendment to Fig. 1 to specifically designate the originally illustrated rib as “30” obviates the objection. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections - 35 USC §112

Claims 1 – 33 were rejected in the Action under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicant has amended the claims to correct the informalities and further clarify the claims. It is noted that in the Action, on page 6, line 1, it states “Further regarding claim 4, the recitation, ‘the at least two housing parts that can be connected to one another in releasable fashion’ lacks antecedent basis, because the ‘at least two housing parts’ of claim 1 have not been limited to ones which are releasably connected.” Claim 1 recites “first and second housing parts (7, 8) can be connected with one another.” claim 4 has now introduced that the connection is releasable with proper antecedents.

Based on the amendment and remarks presented above, withdrawal of the Section 112 rejection of claims 1 – 33 is respectfully requested.

Claim Rejections - 35 USC § 102(b)

Claims 1 – 26 and 30 – 33 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,152,182 to Grether et al.

Applicant respectfully traverses the rejection.

The invention as currently claimed in claim 1, is a jet regulator, having a flow inlet side and a flow outlet side. The jet regulator includes a mounting housing, divided into at least first and second housing parts, which can be connected with one another. The jet regulator also includes a jet fractionating device, having through flow holes, located inside the mounting housing. The first housing part

arranged at the flow inlet side is connected fixedly and non-detachably with the jet fractionating device. A jet regulating device is also included and has at least one insert part insertable into the mounting housing. The at least one insert part has webs that are oriented transverse to a flow direction and that delimit between them through flow openings. The webs of the at least one insert part are disposed in the manner of a grid or a net, intersecting at intersect nodes. The jet regulating device and a flow rectifier are arranged downstream from the jet fractionating device at the flow outlet side, and the through flow holes of the jet fractionating device have a smaller open cross-sectional area in comparison to open cross-sectional areas of the through flow openings of the jet regulating device.

Applicant's own '182 patent fails to show every feature of the claimed invention, namely, a jet regulating device having at least one insert part (5) insertable into the mounting housing as is currently claimed. Further, the '182 patent does not show or suggest webs (11) that are oriented transverse to a flow direction and that delimit between them through flow openings (12), and that the webs (11) of the at least one insert part (5) are disposed in the manner of a grid or a net, intersecting at intersect nodes (10), as is currently claimed. It is also noted that the '182 patent does not show or suggest a jet fractionating device (2) having a smaller open cross-sectional area in comparison to open cross-sectional areas of the through flow openings of the jet regulating device as is currently claimed in claim 1.

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Based on the arguments presented above, withdrawal of the Section 102(b) rejection of claims 1 – 26 and 30 – 33 is respectfully requested.

Claim Rejections - 35 USC §103(a)

Claims 27 – 29 were rejected under 35 U.S.C. §103(a) as obvious over Grether et al., in view of U.S. Patent No. 6,588,682 to Flieger.

Applicant respectfully traverses this rejection.

Claims 27 - 29 are dependent upon claim 1, which the Applicant believes is allowable over the cited prior art of record for the at least the reasons provided above. It is also noted that Flieger fails to show a housing part comprising a water exit opening at the flow outlet side and comprises, at least in an area of the water exit opening, a soft and/or water-repellent surface. as is claimed in claim 27.

Furthermore, Flieger actually teaches away from the invention in column 5, line 30 stating: “Particularly as a result of the smooth-walled limitation or boundary of the guide and outflow channels 13 and the absence of jet splitting screens towards its interior, the jet ventilator only has a limited calcification tendency.”

Based on the arguments presented above, withdrawal of the Section 103(b) rejection of claims 27 – 29 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1 – 10 and 12 - 33, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Hermann Grether et al.

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Enclosures (2 Drawing Replacement Sheets)